

**DISTRICT COURT OF THE KAW NATION**  
**Drawer 50**  
**698 Grandview Drive**  
**Kaw City, OK 74641**  
**(580) 269-2552**

This form packet is supplied by the Kaw Nation Court Clerk's Office. Nothing in these forms is to be construed as providing legal advice. It is highly recommended that you review these documents with an attorney. The Kaw Nation Court Clerk, Kaw Nation District Court, nor the Kaw Nation shall be liable for any use of the following forms.

Parties seeking an Order of the Court are responsible for completing all required documents. The Court Clerk cannot fill out the form for you nor can they give out legal advice. The Kaw Nation does not provide lawyers, legal advice, or legal assistance. If you need legal advice or representation, you must retain an attorney at your expense. Your selected Attorney **must** be registered to practice law with the Kaw Nation Bar Association prior to representing you in the Kaw Nation District Court. You may contact the Court Clerk for a current list of KNBA attorneys.

All fees, including service fees, must be paid **at the time of** filing. Fees cannot be waived unless a Paupers Affidavit has been filed and approved by the Judge prior to filing. This form may be requested from the Court Clerk.

**INSTRUCTIONS FOR FILING**

1. A filing fee of **\$75.00** is required when filing a Petition for Divorce. Most other filings are **\$50.00**. There is no cost to file a Protective Order. Please be prepared to inform the Court Clerk as to which type of Process Service you will be utilizing at the time of filing your packet.
2. All parties must be notified of the filing of a Petition and any pending hearings. Respondents are allowed twenty (20) days from service of a Petition to file an answer with the Court. It will be at least a month from your file date before a court date will be set unless the Respondent signs a Waiver. A Notice of Hearing and/or Summons may be served by Tribal Police within Kay and Osage County for a Service Fee of **\$50.00**. If the parties reside outside of the Kay and Osage County areas, a private process server may need to be hired for service at a starting rate of **\$99.00**. You will be billed for the remaining due amount.
3. The Notice may also be served through Certified Mail. A Service Fee of **\$17.00** will be assessed for the Court Clerk to mail the Notice.

4. It is required by law that Notice be given to the Respondent, so it is necessary to have a current mailing and physical address for this person. If you do not have an address, additional charges will need to be paid to obtain Notice by Publication in the local newspaper. THIS FEE CANNOT BE WAIVED AND WILL NEED TO BE PAID WHEN FILING FORMS. A fee of **\$75.00** (average publication cost) will be assessed. Keep in mind that the fee assessed for publication is an average cost and it could cost more. If the cost is more than \$75.00, you will be responsible for the balance due at the end of publication.
5. To begin the filing process, the following required documents must be submitted to the Court Clerk:
  - Copy of your Driver's License (or State ID)
  - Copy of your Marriage Certificate
  - Copies of Birth Certificates
  - Copies of Death Certificates (if applicable)
  - Copies of CDIB Cards
  - Contact Information Sheet
  - Petition
  - Financial Affidavit (Divorce)
  - Statement of Facts (Guardianship)
  - OK Sex Offenders Registration Affidavit (Adoption, Custody and Guardianship)
  - Request for Hearing
  - Summons
  - Filing and Service fees: **Cash or Money Order** Payable to the **Kaw Nation District Court**
6. Please ensure that all required documentation has been attached and provided at the time of filing your Petition. Make sure that you completely fill out the documents and attach the required documentation. Documents that are not completely filled out can delay the process of your case. Parties are responsible for completing their own petition forms. The court clerk cannot give legal advice or assist you in filling out the forms.
7. Once your Petition and all required documentation has been received, an Order for Hearing will be issued by the Court Clerk informing all parties of the date and time of the scheduled hearing.
8. In an adoption, you **MUST** have an attorney. Also, once the Petition is filed, an in-home study must be completed before the adoption can be finalized (unless it is a step-parent adoption).

# CONTACT INFORMATION

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**Petitioner's Full Name:** \_\_\_\_\_

Previous Names: \_\_\_\_\_

If Married, To Whom: \_\_\_\_\_ Date: \_\_\_\_\_ City/County/State: \_\_\_\_\_

Mailing Address (Including County): \_\_\_\_\_

Physical Address (Including County): \_\_\_\_\_

Work Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

DOB: \_\_\_\_\_ SSN: \_\_\_\_\_

Born in City/County/State: \_\_\_\_\_ Birth Certificate #: \_\_\_\_\_

DL No: \_\_\_\_\_ DL State: \_\_\_\_\_

Attorney: \_\_\_\_\_

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**Respondent's Full Name:** \_\_\_\_\_

Previous Names: \_\_\_\_\_

If Married, To Whom: \_\_\_\_\_ Date: \_\_\_\_\_ City/County/State: \_\_\_\_\_

Mailing Address (Including County): \_\_\_\_\_

Physical Address (Including County): \_\_\_\_\_

Work Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

DOB: \_\_\_\_\_ SSN: \_\_\_\_\_

Born in City/County/State: \_\_\_\_\_ Birth Certificate #: \_\_\_\_\_

DL No: \_\_\_\_\_ DL State: \_\_\_\_\_

Attorney: \_\_\_\_\_

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**Other Interested Party:** \_\_\_\_\_

Previous Names: \_\_\_\_\_

If Married, To Whom: \_\_\_\_\_ Date: \_\_\_\_\_ City/County/State: \_\_\_\_\_

Mailing Address (Including County): \_\_\_\_\_

Physical Address (Including County): \_\_\_\_\_

Work Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

DOB: \_\_\_\_\_ SSN: \_\_\_\_\_

Born in City/County/State: \_\_\_\_\_ Birth Certificate #: \_\_\_\_\_

DL No: \_\_\_\_\_ DL State: \_\_\_\_\_

Attorney: \_\_\_\_\_

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IN THE DISTRICT COURT OF KAW NATION  
KAW CITY, OKLAHOMA

IN THE MATTER OF THE ADOPTION OF:     )  
\_\_\_\_\_,   ) CASE NO. ADP-20\_\_\_\_.\_\_\_\_\_  
D.O.B. \_\_\_\_\_,                                     )  
\_\_\_\_\_,   )  
D.O.B. \_\_\_\_\_,                                     )  
   ) A minor child(ren).     )

PETITION FOR ADOPTION

COMES NOW, \_\_\_\_\_ and \_\_\_\_\_, husband and wife, and respectfully alleges and states as follows:

- I. That this Court has jurisdiction to hear and decide this matter according to the Kaw Nation Tribal Child Protection Code § 2-27 for the Kaw Nation of Oklahoma, for which this court sits;
- II. That the child(ren), \_\_\_\_\_ and \_\_\_\_\_ is/are enrolled/eligible for enrollment with the Kaw Nation of Oklahoma and that the Kaw Nation will have full knowledge of the requested adoption in this Court and is cooperating with the requirements of said adoption as evidenced by the adoptive home study to be filed with this case;
- III. That the Petitioners are husband and wife and were lawfully married on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in \_\_\_\_\_, \_\_\_\_\_, with a license issued in \_\_\_\_\_ County, and that their present residence and mailing address is \_\_\_\_\_;
- IV. That the Petitioner, \_\_\_\_\_, is a female member of

(Tribal Affiliation) \_\_\_\_\_/non-Tribal member and born on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in \_\_\_\_\_, \_\_\_\_\_, and that her occupation is \_\_\_\_\_, and she is now \_\_\_\_ years of age, and that her full maiden name is \_\_\_\_\_ (please state your first, middle and maiden name).

That the Petitioner, \_\_\_\_\_(please state your first, middle and last name), is a male member of (Tribal Affiliation) \_\_\_\_\_/non-Tribal Member and born on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in \_\_\_\_\_, \_\_\_\_\_, and that his occupation is \_\_\_\_\_, and he is now \_\_\_\_ years of age.

That the Petitioner's \_\_\_\_\_ and \_\_\_\_\_, further state that his/her relationship (aunt/uncle/etc.) to the child(ren) is \_\_\_\_\_ to \_\_\_\_\_, the minor child(ren);

V. That the child, \_\_\_\_\_, is a \_\_\_\_\_ Indian male/female who was born on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at the \_\_\_\_\_ Hospital, \_\_\_\_\_ County, \_\_\_\_\_, \_\_\_\_\_;

That the child, \_\_\_\_\_, is a \_\_\_\_\_ Indian male/female who was born on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at the \_\_\_\_\_ Hospital, \_\_\_\_\_ County, \_\_\_\_\_, \_\_\_\_\_;

VI. The natural mother of said child(ren) is \_\_\_\_\_, with a mailing address of \_\_\_\_\_; that the natural father of said child(ren) is \_\_\_\_\_, with the mailing address of \_\_\_\_\_

\_\_\_\_\_/unknown; (Please include full legal names of natural parents);

VII. That the consent of \_\_\_\_\_, the natural mother of the named child(ren), to this adoption by the Petitioners is filed with the Court in this case; that the consent of \_\_\_\_\_, the natural father of the above named child(ren), to this adoption is filed with the Court in this case or is not filed with this case because the father is unknown;

VIII. That said child(ren), \_\_\_\_\_, possesses no real or personal property;

IX. That the Petitioner's desire to adopt said child(ren), \_\_\_\_\_, and desire that the relationship of parent and child(ren) be fully established between said Petitioner's and said child(ren), and that said child(ren)'s name should be changed from \_\_\_\_\_ to that of \_\_\_\_\_, and \_\_\_\_\_ to that of \_\_\_\_\_;

X. That an adoptive home study investigation has already been conducted by the Indian Child Welfare Program of the Kaw Nation of Oklahoma and said report is filed with this Court and shows the Petitioner's to be fit and proper persons to adopt said child(ren);

XI. That in the best interests of said child, that the Court waive/enter an interlocutory decree and waive/enter the waiting period of \_\_\_\_\_ months;

XII. That the Petitioner's, in consideration of the decree of the Honorable Court allowing the adoption of the above named child(ren) by the Petitioner's and

further on consideration of the consent of the natural mother/father of said child(ren), do hereby stipulate and agree with the Court and with said natural mother/father that they will care for, maintain, support and educate said child(ren) during its minority, and do further stipulate and agree to treat said child(ren) in all respects as their own lawful child(ren) should be treated;

XIII. WHEREFORE, \_\_\_\_\_ premises considered, the Petitioner's, \_\_\_\_\_ and \_\_\_\_\_, respectfully pay this Honorable Court to make and enter and order a final decree of adoption of \_\_\_\_\_ and \_\_\_\_\_ by the Petitioner's, establishing the relationship of parent and child between said child(ren) and the Petitioner's, and changing the name of said child (ren) from \_\_\_\_\_ to that of \_\_\_\_\_ and from \_\_\_\_\_ to that of \_\_\_\_\_ and that the Petitioners have all such other and further relief as shall be fit and proper in the premises. Further, that the Court enters a temporary order granting custody to the Petitioner's pending the final hearing on matter.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
PETITIONER'S NAME

\_\_\_\_\_  
PETITIONER'S ADDRESS

\_\_\_\_\_  
PETITIONER'S NAME

\_\_\_\_\_  
PETITIONER'S ADDRESS



SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
COURT CLERK  
FOR KAW NATION DISTRICT COURT







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**AFFIDAVIT OF SERVICE**

**SERVICE BY PROCESS SERVER**

I, \_\_\_\_\_, hereby certify that I served this Summons together with a copy of the Petition upon \_\_\_\_\_ at \_\_\_\_\_ am/pm and made the return according to law, and that I am duly authorized to endorse this affidavit, so help me God.

\_\_\_\_\_  
Police Officer/Process Server

Subscribed to and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

My commission expires: \_\_\_\_\_.

My commission number: \_\_\_\_\_.

**CERTIFICATION OF SERVICE BY MAIL**

I hereby certify that I mailed copies of the foregoing summons with a copy of the petition and order attached, to the following named parties at the address shown by certified mail, addressee only, return receipt requested, on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and said receipt is attached hereto.

Parties	Address Where Served	Date Received
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_____	_____	_____
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\_\_\_\_\_  
Court Clerk